

Message Text

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FOR EA ONLY

C O R R E C T E D C O P Y (QUOTE PARA 1 LINE 4 OMITTED)

E.O. 11652: GDS

TAGS: SHUM, RP

SUBJECT: SUMMARY HUMAN RIGHTS ACTION PLAN

REF: STATE 180953

EA/RA MEMO BASED ON EARLIER TARNOFF MEMORANDUM FROM WHICH
REFTEL DRAWN REQUESTS BY AUGUST 3 DRAFT FOR SUMMARY HUMAN
RIGHTS ACTION PLAN WHICH WOULD NOT EXCEED TWO PAGES SINGLE
SPACED. WORKING WITH OTHER BUREAUS EA/RA HAS DEVELOPED
OUTLINE WITH FIVE HEADINGS (1. STRENGTH OF DOMESTIC FORCES
FOR HUMAN RIGHTS IMPROVEMENT; 2. SUSCEPTIBILITY OF FOREIGN
GOVERNMENT TO U.S. PRESSURES; 3. REALISTIC AND SPECIFIC
PHASED GOALS; 4. COST/BENEFITS FOR THE U.S. OF VARIOUS
COURSES OF ACTION; (5) A PROPOSED SCENARIO). BELOW FOR
YOUR REVIEW/CLEARANCE IS EA/PHL DRAFT. ESTIMATE OF
REALISTIC EXPECTATIONS REQUESTED REFTEL WOULD APPEAR TO
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FALL UNDER THIRD HEADING.

QUOTE 1. STRENGTH OF DOMESTIC FORCES FOR HUMAN RIGHTS
IMPROVEMENT

IMPORTANT DOMESTIC FOCES WOULD INCLUDE:

--LONG AND CONTINUING CONTACT WITH THE UNITED STATES, WHICH HAS INSTILLED IN MANY FILIPINOS -- INCLUDING SOME IN THE MARCOS CAMP -- HUMAN RIGHTS VALUES SIMILAR TO OURS.

-- THE CATHOLIC CHURCH, LONG A PERVASIVE INFLUENCE ON PHILIPPINE LIFE, WHOSE LEADERSHIP INCLUDES MEN AND WOMEN STRONGLY DEDICATED TO HUMAN RIGHTS.

-- THE CONTINUED EXISTENCE OF A LEGAL OPPOSITION. MARCOS' STRESS ON "NATIONAL UNITY" MAY IMPLY THAT THE OPPOSITION IS TO BE PERMITTED SOME MEANINGFUL ROLE IN THE BODY POLITIC, INCLUDING THE NEWLY FORMED INTERIM ASSEMBLY.

-- MARCOS' ATTACHMENT TO LEGAL PROCEDURES, WHICH HAS, IN SOME CASES, PERMITTED EVEN POLITICAL DETAINEES TO OBTAIN SOME DEGREE OF REDRESS FROM THE COURTS.

2. SUSCEPTIBILITY TO U.S. PRESSURES

GOP IS SUSCEPTIBLE TO U.S. PRESSURE BECAUSE OF (A) OUR MILITARY RELATIONSHIP, INCLUDING THE MUTUAL DEFENSE TREATY, THE MILITARY BASES AND OUR MILITARY ASSISTANCE, (B) OUR ECONOMIC TIES INCLUDING TRADE OF APPROXIMATELY DOLS 2 BILLION ANNUALLY, U.S. INVESTMENT IN THE PHILIPPINES OF OVER DOLS 1 BILLION AND AN ECONOMIC ASSISTANCE PROGRAM THAT RUNS ABOUT DOLS 100 MILLION ANNUALLY, AND CONFIDENTIAL

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(C) THE SPECIAL AFFINITY FILIPINOS FEEL FOR THINGS AMERICAN AND FILIPINO SENSITIVITY TO OUR OPINION OF THEM.

ON THE OTHER HAND, THE GOP WILL BE RESISTANT TO U.S. PRESSURE BECAUSE OF (A) THE FORMER COLONIAL RELATIONSHIP AND ITS RESULTANT SENSITIVITIES, (B) A DESIRE TO BE SEEN AS TOTALLY INDEPENDENT BY RUSSIA, CHINA AND THE THIRD WORLD, AND (C) THE FACT THAT OUR INTERESTS IN THE PHILIPPINES MAKE US SOMEWHAT HOSTAGE.

3. REALISTIC AND SPECIFIC PHASED GOALS

ASSUMING MARCOS DOES NOT FEEL INCREASED THREAT FROM THE MNLF, COMMUNISTS, THE POLITICAL OPPOSITION OR ELEMENTS WITHIN THE MILITARY, IT IS REALISTIC TO EXPECT HE MIGHT MOVE FORWARD IN THE FOLLOWING AREAS; DISCREETLY APPLIED U.S. PRESSURES MIGHT STIMULATE/HASTEN THE PROCESS:

-- THE PHASED END OF MARTIAL LAW, AT LEAST IN THE AREAS NOT UNDER MNLF OR COMMUNIST THREAT.

-- THE RESCHEDULING OF PROMISED LOCAL ELECTIONS IN THE

NOT-TOO-DISTANT FUTURE.

-- THE RELEASE OR TRIAL OF PRISONERS UNDER DETENTION AND

THE EXPEDITIOUS PROCESSING OF FUTURE CASES.

-- PROMPT AND EFFECTIVE INVESTIGATION INTO CHARGES OF TORTURE AND "SALVAGING" (CAUSING OPPONENTS TO DISAPPEAR), WITH SPECIFIC ATTENTION TO THOSE INDIVIDUALS IN THE MILITARY AND CONSTABULARY WHO HAVE BEEN IDENTIFIED AS ALLEGED PARTICIPANTS IN THESE ACTIVITIES.

-- A GENERALLY FREER ATMOSPHERE FOR THE EXPRESSION OF DISSENTING VIEWS.

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-- AN END TO THE DE FACTO BAN ON OVERSEAS TRAVEL BY PERSONS CRITICAL OF THE GOVERNMENT, WHICH APPARENTLY STILL EXISTS ALTHOUGH THE GOVERNMENT CLAIMS IT HAS BEEN LIFTED.

4. COST/BENEFITS TO THE U.S. OF VARIOUS COURSES OF ACTION

WE WOULD DISCARD EXTREME COURSES: (A) U.S. NON-INVOLVEMENT IN HUMAN RIGHTS QUESTIONS WHICH WOULD BE READ AS ACQUIESCENCE IN CURRENT SITUATION AND (B) CONFRONTATION WITH MARCOS WHICH WOULD IN ALL PROBABILITY RESULT IN HIS HARDENING -- RATHER THAN IMPROVING -- HIS POSITION ON HUMAN RIGHTS, WHILE AT THE SAME TIME LEADING TO DAMAGE IN OTHER AREAS OF IMPORTANT U.S. INTERESTS (E.G., MILITARY, ECONOMIC).

APPROPRIATE COURSE OF ACTION IS FLEXIBLE ONE WHICH KEEPS U.S. HUMAN RIGHTS CONCERNS CONSTANTLY BEFORE MARCOS IN SUCH A WAY THAT HE RESPONDS POSITIVELY WHILE AT THE SAME TIME AVOIDING DAMAGE TO OTHER INTERESTS.

5. PROPOSED SCENARIO

TO MAXIMIZE POSSIBILITIES THAT MARCOS WILL MAKE PROGRESS IN HUMAN RIGHTS FIELD, WHILE KEEPING IN CONSIDERATION OUR OTHER IMPORTANT INTERESTS IN THE PHILIPPINES, WE SHOULD EMPLOY SCENARIO, WHICH, DRAWING ON PDM 30, USES THE CARROT AND STICK, WITH EMPHASIS ON FORMER.

-- SENIOR U.S. OFFICIALS SHOULD ON EVERY APPROPRIATE OCCASION RAISE THE HUMAN RIGHTS QUESTION WITH SENIOR GOP OFFICIALS;

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-- WE SHOULD RESPOND POSITIVELY TO POSITIVE MOVES MARCOS MAKES (DETAINEES RELEASED, CHARGES DROPPED, TURNING OVER OF NEW CASES TO TRADITIONAL CIVILIAN TRIBUNALS, ETC.) IN CONCRETE WAYS SUCH AS APPROVAL OF TRADITIONAL MILITARY SALES, HIGH LEVEL MESSAGES, INFORMING CONGRESS, ETC.

-- WE SHOULD ACTIVELY FOLLOW THROUGH ON THE PLEDGE PRESIDENT CARTER MADE TO MARCOS IN HIS LETTER OF JUNE 2 TO TRY TO OBTAIN THE FULL DOLS 18.1 MILLION MAP.

-- WE SHOULD BE MORE SELECTIVE IN ABSTAINING IN IFI LOANS (THOSE NOT HIGH IN BHN), IF PROGRESS CONTINUES. END QUOTE.

PLEASE NOTE FOR EA ONLY CAPTION.

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